

August 9, 2006



U.S. Department
of Transportation

400 Seventh Street, S.W.
Washington, D.C. 20590

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 13207
(SIXTH REVISION)

EXPIRATION DATE: May 31, 2007

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: BEI Hawaii
Honolulu, Hawaii
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation in commerce of sulfuric acid in seven DOT Specification IM 101 portable tanks that do not conform with the filling density requirements specified in § 173.32(f)(5). This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.
 - b. The safety analyses performed in development of this special permit only considered the hazards and risks associated with transportation in commerce.
 - c. No party status will be granted to this special permit.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.32(f)(5) in that a portable tank may not be loaded to a filling density of more than 20% and less than 80%, except as provided herein.
5. BASIS: This special permit is based on the application of BEI Hawaii dated April 14, 2005 submitted in accordance with § 107.105 and the public proceeding thereon and § 107.109 and additional information dated May 18, 2006.

August 9, 20066. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper shipping name	Hazard Class/ Division	Identification Number	Packing Group
Sulfuric acid	8	UN1830	II

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Authorized packagings are seven DOT Specification IM 101 steel portable tanks bearing the following owners serial numbers:

SCZU 875751-7

SCZU 875753-8

SECS 467513-1

SECS 467065-4

ETNU 150036-5

ETNU 150035-0

ETNU 150037-0

SCZU 875766-7

SCZU 875767-2

FIIU 210001-5

FIIU 210005-7

b. TESTING - Each portable tank must be inspected and tested as specified for DOT Specification IM 101 portable tanks in 49 CFR Part 180, Subpart G.

c. OPERATIONAL CONTROLS - Portable tanks transported under the terms of this special permit must be filled to a minimum of 76% filling density for transportation from California to

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Hawaii. Only residual lading is permitted when tanks are being returned to California for refilling.

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this special permit who receives a package covered by this special permit may reoffer it for transportation provided no modifications or changes are made to the package and it is reoffered for transportation in conformance with all terms of this special permit and the HMR.

b. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.

c. Each portable tank must be plainly and durably marked "DOT-SP 13207" as specified in §§ 172.302(b) and (c).

d. Packagings permanently marked 'DOT-E 13207', prior to October 1, 2007, may continue to be used under this special permit for the remaining service life of the packaging or until the special permit is no longer valid. Packagings marked on or after October 1, 2007, must be marked 'DOT-SP 13207'.

e. Shipping papers displaying 'DOT-E 13247' may continue to be used until October 1, 2007, provided the special permit remains valid.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle and cargo vessel.

10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each motor vehicle and cargo vessel used to transport packages covered by this special permit.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.

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- o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this special permit, including display of its number, when this special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)- 'The Hazardous Materials Safety and Security Reauthorization Act of 2005' (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term 'exemption' to 'special permit' and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety -- OHMSPA, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



for Robert A. McGuire
Associate Administrator
for Hazardous Materials Safety

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Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, 400 Seventh Street, SW, Washington, D.C. 20590. Attention: PHH-31.

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: Hwang:kah